

**TOWN OF SCITUATE
ANNUAL TOWN MEETING
APRIL 13, 2015
WARRANT**

COMMONWEALTH OF MASSACHUSETTS, PLYMOUTH SS

To either of the constables of the Town of Scituate, in said County

GREETINGS: In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of said Town qualified to vote in Elections and Town Affairs therein, to meet at the Scituate High School Gymnasium, 606 Chief Justice Cushing Highway on

MONDAY, THE THIRTEENTH DAY OF APRIL 2015 NEXT

At seven o'clock in the evening, then and there to act on the following articles:

ARTICLE 1. Compensation of Elected Officials

To see if the Town will vote to establish the salaries and compensation of all elected Town officials as follows for a sum totaling \$74,316.00, or a greater or lesser sum, or take any other action relative thereto:

SELECTMEN:	Chairman & Legitimate Expenses	\$ 1,500.00
SELECTMEN:	Members & Legitimate Expenses	\$ 2,000.00
	(4 @ \$500)	
ASSESSORS:	Chairman & Legitimate Expenses	\$ 1,200.00
ASSESSORS:	Members & Legitimate Expenses	\$ 800.00
	(2 @ \$400)	
TOWN CLERK:	Personal Services	\$68,816.00

Sponsored by: Board of Selectmen

ARTICLE 2. Reauthorization of Revolving Funds

To see if the Town will vote to reauthorize the following revolving accounts pursuant to Massachusetts General Laws, Chapter 44, Section 53E ½, which shall be kept separate and apart from other monies by the Treasurer, and in which shall be deposited receipts received that may be spent only from those sources identified below under "Source of Funds" without further appropriation during Fiscal Year 2016 and as identified below under "Use of Funds," and shall be expended under the direction of those so indicated. Said annual amount expended from each revolving account shall not exceed the amount indicated below under "Annual Expenditure."

Source of Funds	Use of Funds	Expended Under Direction of:	Annual Expenditure
Senior Center Programming Fees	Senior programs and trips	Director, COA	\$ 35,000
Planning Board Application Fees	Postage, advertising and other administrative expenses	Planning Director	\$ 35,000
Food Establishment Inspection Fees	Inspection of food establishments	Director of the Board of Health	\$ 22,000
School Bus Transportation Fees	Transportation of Students	School Superintendent	\$ 300,000
Beach Sticker Fees	Beach operations maintenance & capital	Recreation Director	\$ 265,000
Flu Clinic Fees	Flu Vaccine	Town Nurse	\$ 1,200
Wind Turbine Revenues	Subsidizing of Town electricity costs	DPW Supt.	\$ 500,000
Maintenance of Private Ways	Private Way Maintenance	Highway/Grounds Superintendent	\$ 15,000
Solar Array Revenues	Subsidizing of Town electricity costs	Town Administrator	\$ 450,000
Rental Income Community Center	Operation and maintenance of Community Center	Director of Facilities	\$ 8,000

or take any other action relative thereto.

Sponsored by: Board of Selectmen

ARTICLE 3. Capital Improvement Plan

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds in the Treasury, the following sums of money totaling \$2,479,549.00, or any greater or lesser sums as may be necessary, for the purpose of funding the costs of the Fiscal Year 2016 Capital Improvement Plan submitted in accordance with Section 6-6 of the Scituate Town Charter and outlined as follows, or take any other action relative thereto:

<u>Item</u>	<u>Department</u>	<u>Amount</u>
A. Security Cameras in Harbor Area	Information Technology	\$ 15,000
B. Foreshore Protection	DPW – Engineering	\$200,000

C. 10,000 Gallon Diesel Fuel Tank	DPW - Grounds	\$ 29,773
D. HP Ramp & Fire Escape – Gates School	School	\$ 75,000
E. New Outside Stairs – Jenkins School	School	\$ 50,000
F. Roadway Improvements	DPW – Highway	\$200,000
G. Expand Cudworth Cemetery	DPW – Grounds	\$ 85,000
H. Replace Turnout Gear	Fire	\$ 66,000
I. Replace 2002 1 Ton Dump Truck #1-4	DPW – Highway	\$ 60,000
J. Capital Stabilization Allocation - Ambulance	Fire	\$ 50,000
K. Capital Stabilization Allocation – Turf Field	Recreation/DPW – Grounds	\$ 50,000
L. Capital Stabilization Allocation – Humarock Stn	Fire	\$ 75,000
M. Capital Stabilization Allocation – Future Debt		\$163,776
N. Harbor/River Dredging	Waterways	\$200,000
O. Replace HVAC System-Harbormaster Building	Waterways	\$ 45,000
P. Meter Replacement Program	Water	\$ 85,000
Q. 250 KW Natural Gas Generator	Transfer Station	\$180,000.
R. Upgrade Sand Hills Pump Station	Sewer	\$225,000
S. Replace Chain Pond Pump Station	Sewer	\$625,000

*Sponsored by: Board of Selectmen
Capital Planning Committee*

ARTICLE 4. Fiscal Year 2016 Operating Budget

To see if the Town will vote to raise and appropriate, and/or transfer from available funds in the Treasury, the sum of \$71,617,149.00, or a greater or lesser sum, for the purpose of funding personal services and expenses for Town operations as may be necessary for the ensuing Fiscal Year commencing July 1, 2015, or take any other action relative thereto.

Article 4							
Fiscal Year 2016 Operating Budget							
		FY 2015			FY 2016		
		Appropriated			Selectmen	FY 2016	% of
						Advisory	total
Board of Selectmen							
Town Administrator							
123	510	Personal Services	\$ 296,393	\$	309,773	\$ 309,773	
	520	Purchase of Services	\$ 57,847	\$	57,847	\$ 57,847	
	530	Town Counsel	\$ 136,945	\$	136,000	\$ 136,000	
	532	Labor Counsel	\$ 172,500	\$	208,619	\$ 208,619	
	540	Materials & Supplies	\$ 2,625	\$	3,075	\$ 3,075	
	599	Salary Adjustments	\$ 10,000	\$	10,000	\$ 10,000	
			\$ 676,310	\$	725,314	\$ 725,314	1.01%
Advisory Committee							
131	510	Personal Services	\$ 1,925	\$	1,964	\$ 1,964	
	520	Purchase of Services	\$ 250	\$	250	\$ 250	
	540	Materials & Supplies	\$ 5,700	\$	5,700	\$ 5,700	
			\$ 7,875	\$	7,914	\$ 7,914	0.01%
Reserve Fund							
	570	Transfers	\$ 90,000	\$	90,000	\$ 90,000	0.13%

			Finance Director/Town				
135		Accountant					
	510	Personal Services	\$ 197,352	\$ 284,831	\$ 284,831		
	520	Purchase of Services	\$ 59,745	\$ 64,045	\$ 64,045		
	540	Materials & Supplies	\$ 1,400	\$ 800	\$ 800		
			\$ 258,497	\$ 349,676	\$ 349,676		0.49%
		Assessors					
141	510	Personal Services	\$ 190,255	\$ 195,469	\$ 195,469		
	520	Purchase of Services	\$ 73,155	\$ 6,880	\$ 6,880		
	540	Materials & Supplies	\$ 600	\$ 500	\$ 500		
			\$ 264,010	\$ 202,849	\$ 202,849		0.28%
		Treasurer/Collector					
145	510	Personal Services	\$ 253,270	\$ 263,222	\$ 263,222		
	520	Purchase of Services	\$ 77,985	\$ 73,300	\$ 73,300		
	540	Materials & Supplies	\$ 2,000	\$ 1,575	\$ 1,575		
			\$ 333,255	\$ 338,097	\$ 338,097		0.47%
149		Administration					
	510	Personal Services	\$ 31,933	\$ 32,673	\$ 32,673		
	520	Purchase of Services	\$ 67,500	\$ 85,000	\$ 85,000		
	540	Materials & Supplies	\$ 3,800	\$ 4,200	\$ 4,200		
			\$ 103,233	\$ 121,873	\$ 121,873		0.17%
155		Information Technology					
	510	Personal Services	\$ 90,230	\$ 93,853	\$ 93,853		
	520	Purchase of Services	\$ 148,595	\$ 152,145	\$ 152,145		
	540	Materials & Supplies	\$ 1,000	\$ 500	\$ 500		
	580	Capital Outlay	\$ 14,000	\$ 14,000	\$ 14,000		
			\$ 253,825	\$ 260,498	\$ 260,498		0.36%
		Tax Foreclosures					
158	521	Tax Foreclosures	\$ 39,000	\$ 39,000	\$ 39,000		
			\$ 39,000	\$ 39,000	\$ 39,000		0.05%
159		Cable TV					
	510	Personal Services	\$ 82,583	\$ 90,530	\$ 90,530		
	520	Purchase of Services	\$ 2,300	\$ 5,000	\$ 5,000		
	540	Materials & Supplies	\$ 1,900	\$ 3,150	\$ 3,150		
	580	Capital Outlay	\$ 21,600	\$ 17,000	\$ 17,000		
			\$ 108,383	\$ 115,680	\$ 115,680		0.16%
161		Town Clerk					
	510	Personal Services	\$ 149,618	\$ 154,834	\$ 154,834		
	520	Purchase of Services	\$ 46,600	\$ 34,090	\$ 34,090		
	540	Materials & Supplies	\$ 4,300	\$ 3,925	\$ 3,925		
			\$ 200,518	\$ 192,849	\$ 192,849		0.27%
171		Conservation					

510	Personal Services	\$ 110,554	\$ 117,071	\$ 117,071	
520	Purchase of Services	\$ 10,900	\$ 10,800	\$ 10,800	
540	Materials & Supplies	\$ 1,075	\$ 850	\$ 850	
		\$ 122,529	\$ 128,721	\$ 128,721	0.18%
175	Planning Board				
510	Personal Services	\$ 159,583	\$ 163,475	\$ 163,475	
520	Purchase of Services	\$ 8,550	\$ 9,010	\$ 9,010	
540	Materials & Supplies	\$ 700	\$ 700	\$ 700	
		\$ 168,833	\$ 173,185	\$ 173,185	0.24%
176	Zoning Board of Appeals				
510	Personal Services	\$ 25,607	\$ 20,464	\$ 20,464	
520	Purchase of Services	\$ 2,850	\$ 1,475	\$ 1,475	
540	Materials & Supplies	\$ 300	\$ 400	\$ 400	
		\$ 28,757	\$ 22,339	\$ 22,339	0.03%
	Board of Selectmen/ Economic Dev				
182					
520	Purchase of Services	\$ 78,000	\$ 83,500	\$ 83,500	
570	Transfers	\$ 13,500	\$ 10,000	\$ 10,000	
		\$ 91,500	\$ 93,500	\$ 93,500	0.13%
192	Property/Liability Insurance				
570	TRANSFERS - 0570	\$ 430,000	\$ 489,500	\$ 489,500	0.68%
	Total General Government	\$ 3,176,525	\$ 3,350,995	\$ 3,350,995	4.68%
210	Police				
510	Personal Services	\$ 3,320,446	\$ 3,443,673	\$ 3,443,673	
520	Purchase of Services	\$ 153,160	\$ 148,730	\$ 148,730	
540	Materials & Supplies	\$ 142,610	\$ 144,225	\$ 144,225	
580	Capital Outlay	\$ 122,000	\$ 141,500	\$ 141,500	
		\$ 3,738,216	\$ 3,878,128	\$ 3,878,128	5.42%
220	Fire				
510	Personal Services	\$ 4,023,016	\$ 4,277,372	\$ 4,277,372	
520	Purchase of Services	\$ 90,345	\$ 87,025	\$ 87,025	
540	Materials & Supplies	\$ 219,250	\$ 218,775	\$ 218,775	
580	Capital Outlay	\$ -	\$ -	\$ -	
		\$ 4,332,611	\$ 4,583,172	\$ 4,583,172	6.40%
241	Inspections				
510	Personal Services	\$ 288,133	\$ 290,291	\$ 290,291	
520	Purchase of Services	\$ 10,150	\$ 12,790	\$ 12,790	
540	Materials & Supplies	\$ 3,100	\$ 2,850	\$ 2,850	
		\$ 301,383	\$ 305,931	\$ 305,931	0.43%
295	Shellfish				

510	Personal Services	\$ 10,569	\$ 10,621	\$ 10,621	
520	Purchase of Services	\$ 705	\$ 650	\$ 650	
540	Materials & Supplies	\$ 400	\$ 400	\$ 400	
580	Capital Outlay	\$ 200	\$ 200	\$ 200	
		\$ 11,874	\$ 11,871	\$ 11,871	0.02%
Total Public Safety		\$ 8,384,084	\$ 8,779,102	\$ 8,779,102	12.26%
300	School Committee				
505	School Expenses	\$ 32,812,582	\$ 34,253,852	\$ 34,253,852	47.83%
310	South Shore Regional School				
560	Intergovernmental	\$ 463,751	\$ 565,989	\$ 565,989	0.79%
Total Schools		\$ 33,276,333	\$ 34,819,841	\$ 34,819,841	48.62%
Public Works					
400	510 Personal Services	\$ 1,448,877	\$ 1,465,995	\$ 1,465,995	
	520 Purchase of Services	\$ 481,764	\$ 456,325	\$ 456,325	
	540 Materials & Supplies	\$ 294,273	\$ 281,725	\$ 281,725	
	580 Capital Outlay	\$ 429,500	\$ 416,400	\$ 416,400	
		\$ 2,654,414	\$ 2,620,445	\$ 2,620,445	3.66%
410	Facilities				
	510 Personal Services	\$ 216,351	\$ 232,805	\$ 232,805	
	520 Purchase of Services	\$ 123,740	\$ 133,810	\$ 133,810	
	540 Materials & Supplies	\$ 17,050	\$ 15,750	\$ 15,750	
	580 Capital Outlay	\$ 101,110	\$ 163,149	\$ 163,149	
		\$ 458,251	\$ 545,514	\$ 545,514	0.76%
423	Snow & Ice				
	510 Personal Services	\$ 85,399	\$ 87,109	\$ 87,109	
	520 Purchase of Services	\$ 192,000	\$ 192,001	\$ 192,001	
	540 Materials & Supplies	\$ 218,002	\$ 218,002	\$ 218,002	
	580 Capital Outlay	\$ -	\$ -	\$ -	
		\$ 495,401	\$ 497,112	\$ 497,112	0.69%
424	Street Lights & Beacons				
	520 Purchase of Services	\$ 190,000	\$ 200,000	\$ 200,000	0.28%
Total Public Works		\$ 3,798,066	\$ 3,863,071	\$ 3,863,071	5.39%
510	Board of Health				
	510 Personal Services	\$ 122,042	\$ 126,927	\$ 126,927	
	520 Purchase of Services	\$ 15,030	\$ 7,530	\$ 7,530	

540	Materials & Supplies	\$	1,550	\$	1,625	\$	1,625	
580	Capital Outlay	\$	400	\$	200	\$	200	
		\$	139,022	\$	136,282	\$	136,282	0.19%
541	Council on Aging							
510	Personal Services	\$	254,178	\$	268,079	\$	268,079	
520	Purchase of Services	\$	54,900	\$	38,960	\$	38,960	
540	Materials & Supplies	\$	8,850	\$	6,000	\$	6,000	
580	Capital Outlay	\$	-	\$	1,200	\$	1,200	
		\$	317,928	\$	314,239	\$	314,239	0.44%
543	Veterans Agent							
510	Personal Services	\$	69,467	\$	75,224	\$	75,224	
520	Purchase of Services	\$	147,910	\$	135,000	\$	135,000	
540	Materials & Supplies	\$	1,225	\$	1,250	\$	1,250	
		\$	218,602	\$	211,474	\$	211,474	0.30%
549	Commission on Disabilities							
520	Purchase of Services	\$	4,750	\$	4,750	\$	4,750	
540	Materials & Supplies	\$	250	\$	250	\$	250	
		\$	5,000	\$	5,000	\$	5,000	0.01%
	Total Health & Human Services	\$	680,552	\$	666,995	\$	666,995	0.93%
610	Library							
510	Personal Services	\$	742,994	\$	769,918	\$	769,918	
520	Purchase of Services	\$	74,135	\$	67,098	\$	67,098	
540	Materials & Supplies	\$	121,175	\$	124,850	\$	124,850	
580	Capital Outlay	\$	5,100	\$	10,600	\$	10,600	
		\$	943,404	\$	972,466	\$	972,466	1.36%
630	Recreation							
510	Personal Services	\$	127,829	\$	133,467	\$	133,467	
520	Purchase of Services	\$	1,250	\$	800	\$	800	
540	Materials & Supplies	\$	650	\$	250	\$	250	
580	Capital Outlay	\$	1,050	\$	500	\$	500	
		\$	130,779	\$	135,017	\$	135,017	0.19%
650	Beautification							
520	Purchase of Services	\$	-	\$	-	\$	-	
540	Materials & Supplies	\$	19,500	\$	20,000	\$	20,000	
		\$	19,500	\$	20,000	\$	20,000	0.03%

691	Historical Buildings					
520	Purchase of Services	\$ 11,350	\$ 13,000	\$ 13,000		
		\$ 11,350	\$ 13,000	\$ 13,000	0.02%	
	Total Recreation & Resources	\$ 1,105,033	\$ 1,140,483	\$ 1,140,483	1.59%	
720	Debt & Interest					
590	Debt Service	\$ 2,769,721	\$ 8,511,059	\$ 8,511,059	11.88%	
		\$ 2,769,721	\$ 8,511,059	\$ 8,511,059	11.88%	
910	Non-Contributory Pensions					
512	Other Personal Services	\$ 51,819	\$ 26,620	\$ 26,620	0.04%	
911	Plymouth County Retirement					
512	Other Personal Services	\$ 3,912,852	\$ 4,424,602	\$ 4,424,602	6.18%	
912	Workers' Compensation					
515	Employee Benefits	\$ 257,000	\$ 257,000	\$ 257,000	0.36%	
913	Unemployment Insurance					
515	Employee Benefits	\$ 75,000	\$ 75,000	\$ 75,000	0.10%	
914	Contributory Group Insurance					
515	Employee Benefits	\$ 4,975,632	\$ 5,050,266	\$ 5,050,266	7.05%	
916	Federal Taxes					
515	Employee Benefits	\$ 626,454	\$ 652,115	\$ 652,115	0.91%	
	Total Employee Benefits	\$ 9,898,757	\$ 10,485,603	\$ 10,485,603	14.64%	
	Total General Fund	\$ 63,089,071	\$ 71,617,149	\$ 71,617,149	100.00%	

ARTICLE 5. Waterways Enterprise Fund

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds in the Treasury, the sum of \$971,939.00, or a greater or lesser sum, for the purpose of funding the Waterways Enterprise Fund for the ensuing fiscal year commencing July 1, 2015, or take any other action relative thereto.

Sponsored By: Board of Selectmen

ARTICLE 6. Golf Course Enterprise Fund

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds in the Treasury the sum of \$1,236,530.00, or a greater or lesser sum, for the purpose of funding the Widow's Walk Golf Course for the ensuing fiscal year commencing July 1, 2015, or take any other action relative thereto.

Sponsored By: Board of Selectmen

ARTICLE 7. Wastewater Enterprise Fund

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds in the Treasury the sum of \$3,384,273.00, or a greater or lesser sum, for the purpose of funding Wastewater Treatment Plant operations and expenses, for the ensuing fiscal year commencing July 1, 2015, or take any other action relative thereto.

Sponsored By: Board of Selectmen

ARTICLE 8. Transfer Station Enterprise Fund

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds in the Treasury the sum of \$1,070,133.00, or a greater or lesser sum, for the purpose of funding the Landfill and Transfer Station operations and expenses for the ensuing fiscal year commencing July 1, 2015, or take any other action relative thereto.

Sponsored By: Board of Selectmen

ARTICLE 9. Water Enterprise Fund

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds in the Treasury, the sum of \$3,503,577.00, or a greater or lesser sum, for the purpose of funding Water Division operations and expenses for the ensuing fiscal year commencing July 1, 2015, or take any other action relative thereto.

Sponsored By: Board of Selectmen

ARTICLE 10. Stabilization Fund Excess Levy

To see if the Town will vote to raise and appropriate the difference between the levy net and the levy limit to the Stabilization Fund, in accordance with Massachusetts General Laws, Chapter 40, Section 5B, or take any other action relative thereto.

Sponsored By: Board of Selectmen

ARTICLE 11. Community Preservation

To see if the Town will vote to hear and act on recommendations from the Community Preservation Committee (the "CPC") on the Fiscal Year 2016 Community Preservation budget and pursuant to Massachusetts General Laws, Chapter 44B (the "Act") to appropriate and/or reserve the sums of money as indicated below (i) to meet the administrative expenses and all

other necessary and proper expenses of the CPC for Fiscal Year 2016; (ii) for the acquisition, creation, and preservation of open space; (iii) for the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; (iv) for acquisition, preservation, rehabilitation, and restoration of historic resources; and (v) for the creation, acquisition, preservation and support of community housing. Appropriations for the items below are to be expended first from any existing reserves for the purposes of such item, then appropriated from Community Preservation FY 2016 estimated revenues, with any excess to be appropriated from Community Preservation unreserved funds. All such sums appropriated are further to be expended subject to all of the terms and conditions of the applications regarding such projects filed with the CPC and the votes of the CPC regarding approval of such items.

- | | | |
|-----|-----------|--|
| 1. | \$180,000 | from Community Preservation FY 2016 estimated revenues, to be reserved for the creation and support of Community Housing consistent with the Act; |
| 2. | \$180,000 | from Community Preservation FY 2016 estimated revenues, to be reserved for acquisition and preservation of Historic Resources consistent with the Act; |
| 3. | \$180,000 | from Community Preservation FY 2016 estimated revenues, to be reserved for acquisition and preservation of Open Space consistent with the Act; |
| 4. | \$ 90,000 | from Community Preservation FY 2016 estimated revenues, for Administrative Expense of the Community Preservation Committee; |
| 5. | \$100,000 | for Recreation/Open Space - North Scituate Beach Nourishment |
| 6. | \$ 30,712 | for Recreation/Open Space - Sailing Fleet Restoration |
| 7. | \$ 6,000 | for Recreation/Open Space - Improvements, Teak Sherman Garden |
| 8. | \$ 8,300 | for Historic Resources - Bailey Ellis House preservation |
| 9. | \$ 11,400 | for Historic Resources - Tercentenary Markers |
| 10. | \$ 7,684 | for Historic Resources - Microfiche Mariner Newspapers |
| 11. | \$ 10,963 | for Historic Resources - Town Archives Preservation |
| 12. | \$ 18,000 | for Historic Resources - Lafayette Carriage Restoration |
| 13. | \$ 16,800 | for Historic Resources - Lighthouse Boardwalk Construction |
| 14. | \$ 14,700 | for Historic Resources - Lighthouse Lantern Room Evaluation |
| 15. | \$ 69,000 | for Historic Resources - Old Oaken Bucket House Improvements and Cushing Shay Restoration |

or take any other action relative thereto.

Sponsored By: Community Preservation Committee

ARTICLE 12. Community Preservation Act Reconciliations

To see if the Town will vote to hear and act on recommendations from the Community Preservation Committee to rescind the balance of funds authorized but unexpended totaling \$70,653.75, or a greater or less sum, and to transfer said funds into the Reserve or General Fund Balance from which they were originally appropriated, in accordance with the provisions of the Community Preservation Act, or take any other action relative thereto.

Description/Project	Amount	ATM Date
Marine Park Landscaping	\$ 859.52	March 2005 ATM, Art. 16D
Egypt Park	4,000.00	March 2007 ATM Art 18B
Stockbridge Grist Mill	13,026.15	March 2008 ATM Art 19A
Lighthouse Seawall Repair	28,283.59	April 2011 ATM, Art 17 Item 17
Gates School Reuse Study	8,746.12	April 2011 ATM Art 17 Item 10
Bonomi Land	5,500.00	April 2012 ATM Art 16 Item 9
Teak Sherman Community Garden	783.22	April 2012 ATM Art 16 Item 15
Preservation of Union Chapel	107.50	April 2013 ATM Art 12, Item 6
Little Red Schoolhouse Roof	9,320.72	April 2013 ATM Art 12 Item 10
Restoration of Lawson Tower	25.00	April 2013 ATM Art 12, Item 8
Mossing Shed Transfer	1.93	April 2014 ATM Art 13 Item 7

Sponsored By: Community Preservation Committee

ARTICLE 13. Massachusetts General Laws Chapter 91 Liability

To see if the Town will vote to assume liability in the manner provided by Massachusetts General Laws, Chapter 91, Section 29, as amended, for all damages that may be incurred by work to be performed by the Massachusetts Department of Environmental Protection for the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, great ponds, harbors, tidewaters, foreshores and shores along a public beach in accordance with Section 11 of said Chapter 91 and to authorize the Selectmen to execute and deliver a bond on indemnity therefore to the Commonwealth; or take any other action relative thereto.

Sponsored By: Board of Selectmen

ARTICLE 14. Donation of Land – Musquashicut Pond

To see if the Town will vote to accept a donation of land located on Boardman Avenue, bounded and described as follows:

- Southeasterly by Boardman Avenue measuring on the upland about two hundred three (203) feet;
- Southwesterly three hundred forty-two (342) feet and Southeasterly measuring on the upland about fifty-six (56) feet by land now or formerly of Calvin B. Faunce et al;
- Southwesterly by Musquashicut Pond
- Northwesterly by land now or formerly of Harriet S. Brown measuring on the upland about one hundred twenty-tree and 92/100 (123.92) feet; and
- Northeasterly by the Atlantic Ocean,

or take any other action relative thereto.

Sponsored by: Board of Selectmen

ARTICLE 15. Clapp Road Land Swap

To see if the Town will vote to authorize the Board of Selectmen to (1) convey an approximately 1.8 acre portion of a parcel of Town-owned land located on the west side of Chief Justice Cushing Highway referred to as the Ellis Property and identified by the Town of Scituate Assessor's Office as Map/Block/Parcel 19-1-15F, and by Deed recorded at the Plymouth Registry of Deeds in Book 3528, Page 768, as reflected in the Exhibit Plan of Land prepared by McKenzie Engineering Group, Inc. dated February 26, 2015, and on file at the Office of the Town Clerk, (2) accept as compensation for such conveyance (a) title to an approximately 16 acre parcel of land owned by Raymond J. Livingstone, II, Trustee, of Bartlett Fields Realty Trust, identified by the Town of Scituate Assessor's Office as Map/Block/Parcel 23-1-6, and by Deed recorded at the Plymouth Registry of Deeds in Book 32695, Page 66-67; (b) title to an approximately 3.56 acre parcel of land owned by Whitcomb Pines, LLC identified by the Town of Scituate Assessor's Office as a portion of Map/Block/Parcel 25-5-18A (said parcel was previously identified as Map/Block/Parcel 23-1-6A), and by Deed recorded at the Plymouth Registry of Deeds in Book 32695, Page 77-79, and (c) title to an approximately 6.9 acre parcel of land owned by Whitcomb Pines, LLC identified by the Town of Scituate Assessor's Office as a portion of Map/Block/Parcel 25-5-18A (said parcel was previously identified as 25-5-3B), and by Deed recorded at the Plymouth Registry of Deeds in Book 32695, Page 77-79; and (3) file legislation, as may be necessary to authorize such exchange including the release of restriction on the use of the Town-owned land, or take any other action relative thereto.

Sponsored by: Board of Selectmen

ARTICLE 16. Zoning Amendment – Building Height and Setback in Flood Zones

To see if the Town will vote to amend the Zoning Bylaw to allow homes in the flood plain to exceed the maximum height limit when they are elevated, and to allow small additions for elevated utilities to encroach in the side setback (1) by amending Section 200, Definitions, by adding the paragraph shown in bold below to the definition of height:

HEIGHT

The distance measured vertically from the average finished grade of the ground adjoining a building to the highest point of the roof for flat roofs, to the deck line for mansard roofs, and to the average height between eaves and ridge for gable, hip and gambrel roofs except that in residential zoning districts, there shall also be a maximum height measured from the average finished grade to the ridge for a building with a gable, hip or gambrel roof.

In connection with elevation of an existing structure above the Base Flood Elevation as determined by the current National Flood Insurance Rate Maps, the vertical distance between the sill and the ridge of the roof shall not be increased, but the height of the structure as measured from the average surrounding grade may exceed the maximum building height as defined in this bylaw as long as there is no increase in the number of bedrooms or net floor area.

And (2) by adding the new paragraph F. in bold below to Section 620.4, Height and Open Space Requirements, Modification and Exceptions:

F. In FEMA Flood Zones V, AO, and A, a covered structure to house utilities may be constructed into the front, side, or rear yard space for the purpose of housing utilities that are to be elevated above the base flood elevation as shown on the FEMA Flood Map for that building's location. The footprint of such structure shall not exceed 50 square feet and it shall not encroach into the front, side, or rear yard space more than 50% of the required setback of the structure. Such structure shall be allowed when the Building Commissioner or Zoning Enforcement Officer determines that no other practical space is available in the structure to house the elevated utilities,

or take any other action relative thereto.

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ARTICLE 17. Zoning Article – Establish Maximum Size, Accessory Dwellings

To see if the Town will vote to amend the Zoning Bylaw to establish a maximum size for accessory dwellings and better define the subsidiary relationship between an accessory dwelling and primary dwelling (1) by adding definitions for net floor area and primary dwelling to Section 200, Definitions, to be placed within this section in alphabetical order with the other definitions, as outlined below:

NET FLOOR AREA

The area of habitable space within a dwelling according to the definition in the most recent edition of the Massachusetts State Building Code.

PRIMARY DWELLING

A separate dwelling unit which is located in the same structure or on the same lot as an accessory dwelling.

And (2) by amending existing paragraph F. of Section 530.2, Accessory Dwellings, Special Permit Procedures and Conditions, by eliminating the existing language shown below with strikeouts and by adding the following language below in bold:

530.2 F. The accessory dwelling shall be clearly a subordinate part of the single-family dwelling or business use. **An addition or a separate structure containing an accessory dwelling shall appear subsidiary in mass and scale to the primary dwelling. The visual relationship between the addition or separate structure, and the existing dwelling shall be consistent and architecturally similar in terms of materials, colors, building elements, and building mass.**

~~No accessory dwelling shall exceed the maximum of either seven hundred and fifty square feet or forty percent of the total square footage of the primary dwelling, whichever is greater, with the exception of accessory dwellings located in the business~~

~~district which are unrestricted as to size.~~ **The net floor area of an accessory dwelling in a Residential zoning district shall not exceed the maximum of nine hundred square feet or forty percent of the total square footage of the floor area of the primary dwelling, whichever is less.** For the purposes of this section, the computation of maximum floor area shall be limited to the ~~principal residence~~ **net floor area of the primary dwelling** and shall exclude the floor area in an attached or detached structure. **Accessory dwellings in the Business zoning districts shall be unrestricted as to size,**

or take any other action relative thereto.

Sponsored by the Planning Board

ARTICLE 18. Seawall Funding Citizens Article – BY PETITION

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds in the Treasurer the sum of \$2,000,000.00 for the purpose of repairing, reconstructing, or maintaining existing foreshore protection structures in the Town of Scituate.

ARTICLE 19. Zone Change – BY PETITION

To see if the Town will amend the Scituate Zoning By-Laws at Section 490.3 Planned Development District so as to increase the maximum number of units in Sub district B from forty to forty-eight and to eliminate references to a pro-rata formula to establish residential density, or take any other action relative thereto.

And you are further directed to serve this warrant by posting up attested copies thereof, one at each of the Post Offices in said Town and one at the Town Hall, seven days at least before the time of holding said meeting.

Hereof, fail not, and make due return of this warrant with your doings thereon, to the Town Clerk at the time and place of the meeting as aforesaid.

Given under our hands this 11th day of March, in the year two thousand and fourteen.

John F. Danehey, Chairman

Shawn Harris, Vice-Chairman

Martin J. O'Toole, Clerk

Anthony V. Vegnani, Member

Maura Curran, Member

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TOWN OF SCITUATE**